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08 MAY 2007

In re Application of :
GEORGES, Alain et al. :
Application No.: 10/541,640 :
PCT No.: PCT/US03/40051 :
Int. Filing Date: 11 November 2003 : DECISION
Priority Date: 07 January 2003 :
Attorney's Docket No.: DBT-006PCTUS1 :
For: SYSTEMS AND METHODS FOR :
PORTABLE AUDIO SYNTHESIS :

This decision responds applicants' renewed request under 37 CFR 1.497(d), filed in the United States Patent and Trademark Office on 15 February 2007.

BACKGROUND

On 12 December 2006, the Office mailed Decision, granting applicants' petition under 37 CFR 1.182 to correct inventor Damevski's name and refusing applicants' request under 37 CFR 1.497(d).

On 15 February 2007, applicants submitted this renewed request under 37 CFR 1.497(d) and the fee for a one month extension of time.

DISCUSSION

Applicants file this request to add Eric Laurent, Frederic Flohr, Jean-Phillipe Chevreau and Alan R. Loudermilk as inventors. Applicants have indicated that these inventors are being added because the application has been amended.

As earlier indicated, under 37 CFR 1.41(a)(4), the inventorship of the international application entering the national stage under 35 U.S.C. 371 is that inventorship set forth in the international application, which includes any changes effected under PCT Rule 92*bis*. An oath or declaration reflecting that international stage inventorship is required. Should applicants need to change the inventorship in the national stage application on account of a preliminary amendment, that can be done with a petition under 37 CFR 1.48, AFTER the application satisfies the requirements for entry into the national stage. Requests under 37 CFR 1.497(d) are to correct errors in inventorship made during the international phase, not to change the inventorship on account of amendment.

CONCLUSION

For the above reasons, applicant's request under 37 CFR 1.497(d) is **REFUSED**.

An oath or declaration in compliance with 37 CFR 1.497(a)-(b) is required within **TWO (2) MONTHS** from the mail date of this decision. Failure to timely file the proper response will result in abandonment of this application. Extensions of time are available under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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